

RICHARD SCHMIEDER, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. 4:09CV0065 AGF  
 )  
 MICHAEL ASTRUE, )  
 Commissioner of Social Security, )  
 )  
 Defendant. )

This matter is before the Court on Defendant’s motion to reverse and remand this Social Security disability case pursuant to sentence four of 42 U.S.C. § 405(g).<sup>1</sup> Following a hearing on Plaintiff’s application for disability insurance benefits and supplemental security income, an Administrative Law Judge (“ALJ”) found, based upon the Commissioner’s Medical-Vocational Guidelines, that Plaintiff was not disabled. The decision of the ALJ became the final decision of the Commissioner of Social Security, and Plaintiff sought judicial review of the adverse ruling.

<sup>1</sup> The parties have consented to the exercise of authority by the undersigned United States Magistrate Judge under 28 U.S.C. § 636(c).

Sentence four of 42 U.S.C. § 405(g) provides that upon judicial review, “[t]he court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing.” The Court concludes that the Commissioner’s motion should be granted in this case.

Accordingly,

**IT IS HEREBY ORDERED** that Defendant’s motion to reverse and remand the case is **GRANTED**. [Doc. #20]

A Judgment shall accompany this Memorandum and Order.

  
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AUDREY G. FLEISSIG  
UNITED STATES MAGISTRATE JUDGE

Dated on this 3rd day of September, 2009.